FORM PTO-1390 (REV. 01-2003)	US DEPARTMENT OF COMMERCE PATENT & TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 122196
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) New U.S. National Stage of PCT/JP04/02787 **10/518768**

INTERNATIONAL APPLICATION NO. PCT/JP04/02787	INTERNATIONAL FILING DATE March 5, 2004	PRIORITY DATE CLAIMED

TITLE OF INVENTION
PREVENTION OF AND COUNTERMEASURES AGAINST MITOCHONDRIAL DISEASE

APPLICANTS FOR DO/EO/US
Fukumi MORISHIGE

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.

2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.

3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.

4. ☐ The US has been elected (Article 31).

5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))

    a. ☒ is attached hereto (required only if not communicated by the International Bureau).

    b. ☐ has been communicated by the International Bureau.

    c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).

6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))

    a. ☒ is attached hereto.

    b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).

    c. ☐ The International Application was filed in English.

7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))

    a. ☐ are attached hereto (required only if not communicated by the International Bureau).

    b. ☐ have been communicated by the International Bureau.

    c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.

    d. ☐ have not been made and will not be made.

8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).

9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).

10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.

12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.

13. ☐ A preliminary amendment.

14. ☒ An Application Data Sheet under 37 CFR 1.76.

15. ☐ A substitute specification.

16. ☒ A power of attorney and/or change of address letter.

17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.

18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).

19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

20. ☐ Other items or information: Transmittal of Power of Attorney and Statement

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) New U.S. National Stage of PCT/JP04/02787 **10/518768**	INTERNATIONAL APPLICATION NO. PCT/JP04/02787	ATTORNEY'S DOCKET NUMBER 122196

21. ☒ The following fees are submitted:	CALCULATIONS	PTO USE ONLY
BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): Basic National Fee .... $ 300.00 Search Fee... $ 500.00 Examination Fee.. $ 200.00		
ENTER APPROPRIATE BASIC FEE AMOUNT =	$1000	
Surcharge of **$130.00** for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	$	

TOTAL PAGES OF APPLICATION OVER 100 (0 - 100)	0 ÷ 50	= †0	x 250 =	$0	

†round up to next integer

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	$	
TOTAL CLAIMS	9- 20	= 0	x 50.00 =	$0	
INDEPENDENT CLAIMS	3- 3	= 0	x 200.00 =	$0	
MULTIPLE DEPENDENT CLAIM(S)(if applicable)			+ 360.00 =	$	
TOTAL OF ABOVE CALCULATIONS =				$1000	
☒ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.				$500	
SUBTOTAL =				$500	
Processing fee of **$130.00** for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				$	
TOTAL NATIONAL FEE =				$500	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **$40.00** per property +				$	
TOTAL FEES ENCLOSED =				$500	

	Amount to be refunded:	$
	charged:	$

a. ☒ A check in the amount of $500 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of $_____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 15-0461. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING: Information on this form may become public. Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:
OLIFF & BERRIDGE, PLC
Customer Number: 25944

Date   December 21, 2004

NAME: James A. Oliff
REGISTRATION NUMBER: 27,075

NAME: Joel S. Armstrong
REGISTRATION NUMBER: 36,430

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